

# Notice of Allowability

Application No.

10/024,539

Examiner

Maribel Medina

Applicant(s)

MAZZA ET AL.

Art Unit

1754

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to paper filed on 12/21/2001.
2. ☒ The allowed claim(s) is/are 1-34.
3. ☒ The drawings filed on 24 April 2002 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 9/5/02; 4/28/03
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

**Notice of Allowability**

**Reasons for Allowance**

1. The following is an examiner's statement of reasons for allowance: Claims 1-34 are allowable upon consideration of the prior art. The closest prior art is EP 1 170 249 A1.

Regarding claims 1-18, the prior art discloses a process for storing a by-product produced in a reactor configured to contact a chemical hydride solution and a catalyst. (See the above-cited prior art, paragraphs [0033] and [0048]).

The prior art fails to disclose or suggest the steps of: a) withdrawing at least a portion of the chemical hydride solution at a first temperature from the reactor; b) cooling the portion of the chemical hydride solution to a second temperature below the first temperature, wherein a precipitate is formed from at least a portion of the by-product; c) removing at least a portion of the precipitate from the portion of the chemical hydride solution; d) heating the portion of the chemical hydride solution to a third temperature above the second temperature, wherein a remaining portion of the precipitate is dissolved in the portion of the chemical hydride solution; and e) delivering the portion of the chemical hydride solution back to the reactor.

Regarding claims 19-34, the prior art discloses a system for storing a by-product produced in a reactor configured to contact a chemical hydride solution and a catalyst. (See the above-cited prior art, figures 1-4).

The prior art fails to disclose or suggest: b) a pump for withdrawing at least a portion of the chemical hydride solution at a first temperature from the reactor and returning the portion of the chemical hydride solution to the reactor; c) a cooling means for cooling the portion of the chemical hydride solution to a second temperature below the first temperature, wherein a

Art Unit: 1754

precipitate is formed from at least a portion of the by-product, the cooling means being located in the circuit downstream of the reactor; d) a separating means for removing at least a portion of the precipitate from the portion of the chemical hydride solution, the separating means being located in the circuit downstream of the cooling means; and e) a heating means for heating the portion of the chemical hydride solution to a third temperature above the second temperature, wherein a remaining portion of the precipitate is dissolved in the portion of the chemical hydride solution, the heating means being located in the circuit downstream from the separating means.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### **Conclusion**

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maribel Medina whose telephone number is (571) 272-1355.

The examiner can normally be reached on Monday through Friday from 7:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stanley Silverman can be reached on (571) 272-1358. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

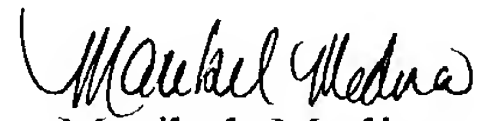
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

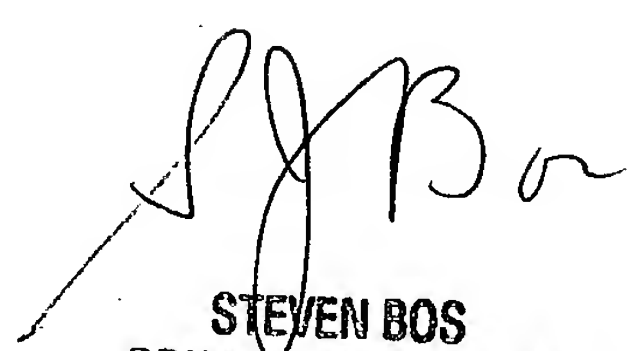
Application/Control Number: 10/024,539

Page 4

Art Unit: 1754

system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Maribel Medina  
Examiner  
Art Unit 1754

  
STEVEN BOS  
PRIMARY EXAMINER  
GROUP 1100